

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 16-7722

TRACEY TERRELL GRADY,

Plaintiff - Appellant,

v.

SUSAN R. WHITE; BURKAMP, Case Manager; CAUSBY, Sergeant, Lead Investigator; BARKER, Unit Manager; QUINN, Sergeant; ODOM, Officer; BRYAN, Officer,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Frank D. Whitney, Chief District Judge. (5:15-cv-00130-FDW)

Submitted: April 20, 2017

Decided: April 24, 2017

Before WILKINSON, NIEMEYER, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Tracey Terrell Grady, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tracey Terrell Grady seeks to appeal the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2012) complaint, as amended, for failure to state a claim, pursuant to 28 U.S.C. § 1915A(b)(1) (2012). This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-47 (1949). Because the pleading deficiencies identified by the district court may be remedied by the filing of an amended complaint, we conclude that the order Grady seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. *Goode v. Cent. Va. Legal Aid Soc'y, Inc.*, 807 F.3d 619, 623-24 (4th Cir. 2015); *Domino Sugar Corp. v. Sugar Workers Local Union 392*, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we dismiss the appeal for lack of jurisdiction.* We deny Grady's motion to reverse the district court's ruling. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED

* We do not remand this matter to the district court, though, because the court previously afforded Grady the chance to amend his complaint. *Cf. Goode*, 807 F.3d at 629-30.